



Local Democracy, Economic Development and Construction Act 2009

2009 CHAPTER 20

PART 2

LOCAL AUTHORITIES: GOVERNANCE AND AUDIT

CHAPTER 3

AUDIT OF ENTITIES CONNECTED WITH LOCAL AUTHORITIES

Supplementary

PROSPECTIVE

50 Fees

^{F1}(1)

[^{F2}(1A) An entity in relation to which a person is appointed by the Auditor General for Wales under this Chapter must pay the Wales Audit Office, in accordance with a scheme for charging fees prepared under section 24 of the Public Audit (Wales) Act 2013, a fee in respect of the discharge by that person of any of the functions specified by subsection (2) in relation to the entity.]

(2) Those functions are—

- (a) functions under section 44(2) to (5);
- (b) functions under sections 45 to 49.

(3) The entity must pay a fee under this section at such time, and otherwise in accordance with such requirements, as [^{F3}the [^{F4}Wales Audit Office]] may specify.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 50. (See end of Document for details)

^{F5}(4)

[^{F6}(4A) The amount of a fee payable under subsection (1A) is, subject as follows, to be such as may be specified in or determined under a scale or scales of fees prescribed by the Wales Audit Office for the purposes of this section.

But a fee charged under subsection (1A) may not exceed the full cost of exercising the function to which it relates.]

(5) Before prescribing a scale of fees under [^{F7}subsection ^{F8}... (4A)][^{F9}the [^{F10}Wales Audit Office]] must consult—

(a) such associations of local authorities, and

(b) such bodies of accountants,

as it considers appropriate.

(6) A scale of fees under this section is not to provide for the amount of a fee to be different depending on whether or not the person appointed under this Chapter is a member of staff of [^{F11}the [^{F12}Wales Audit Office]].

(7) A scale of fees under this section and standard terms and conditions under section 43 are not to provide for fees of different amounts in respect of—

(a) the discharge of a function referred to in subsection (2)(a), and

(b) the discharge of an equivalent function pursuant to an appointment pursuant to section 43(1).

^{F13}(8)

^{F13}(9)

^{F14}(10)

^{F14}(11)

(12) If it appears to [^{F15}the [^{F16}Wales Audit Office]] that the work involved in a particular case differed (or is likely to differ) substantially from that envisaged by the person prescribing the appropriate scale, [^{F15}the [^{F16}Wales Audit Office]] may charge a fee of an amount different from that referred to in subsection [^{F17}(4A)].

Textual Amendments

- F1** S. 50(1) omitted (1.4.2015) by virtue of [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 109\(2\)](#); [S.I. 2015/841](#), art. 3(x) (with [Sch. para. 10](#)) (as amended (27.6.2016) by [S.I. 2016/675](#), art. 2)
- F2** S. 50(1A) inserted (1.4.2014) by [Public Audit \(Wales\) Act 2013 \(anaw 3\)](#), s. 35(2), [Sch. 4 para. 91\(3\)](#) (with [Sch. 3 para. 3](#)); [S.I. 2013/1466](#), art. 3(1)
- F3** Words in s. 50(3) substituted (1.4.2014) by [Public Audit \(Wales\) Act 2013 \(anaw 3\)](#), s. 35(2), [Sch. 4 para. 91\(4\)](#) (with [Sch. 3 para. 3](#)); [S.I. 2013/1466](#), art. 3(1)
- F4** Words in s. 50(3) substituted (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 109\(3\)](#); [S.I. 2015/841](#), art. 3(x) (with [Sch. para. 10](#)) (as amended (27.6.2016) by [S.I. 2016/675](#), art. 2)
- F5** S. 50(4) omitted (1.4.2015) by virtue of [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 109\(4\)](#); [S.I. 2015/841](#), art. 3(x) (with [Sch. para. 10](#)) (as amended (27.6.2016) by [S.I. 2016/675](#), art. 2)

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 50. (See end of Document for details)

- F6** S. 50(4A) inserted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 91(6)** (with **Sch. 3 para. 3**); S.I. 2013/1466, art. 3(1)
- F7** Words in s. 50(5) substituted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 91(7)(a)** (with **Sch. 3 para. 3**); S.I. 2013/1466, art. 3(1)
- F8** Words in s. 50(5) omitted (1.4.2015) by virtue of Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 109(5)(a)**; S.I. 2015/841, art. 3(x) (with **Sch. para. 10**) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- F9** Words in s. 50(5) substituted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 91(7)(b)** (with **Sch. 3 para. 3**); S.I. 2013/1466, art. 3(1)
- F10** Words in s. 50(5) substituted (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 109(5)(b)**; S.I. 2015/841, art. 3(x) (with **Sch. para. 10**) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- F11** Words in s. 50(6) substituted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 91(8)** (with **Sch. 3 para. 3**); S.I. 2013/1466, art. 3(1)
- F12** Words in s. 50(6) substituted (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 109(6)**; S.I. 2015/841, art. 3(x) (with **Sch. para. 10**) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- F13** S. 50(8)(9) omitted (1.4.2015) by virtue of Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 109(7)**; S.I. 2015/841, art. 3(x) (with **Sch. para. 10**) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- F14** S. 50(10)(11) omitted (1.4.2014) by virtue of Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 91(9)** (with **Sch. 3 para. 3**); S.I. 2013/1466, art. 3(1)
- F15** Words in s. 50(12) substituted (1.4.2014) by Public Audit (Wales) Act 2013 (anaw 3), s. 35(2), **Sch. 4 para. 91(10)(a)** (with **Sch. 3 para. 3**); S.I. 2013/1466, art. 3(1)
- F16** Words in s. 50(12) substituted (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 109(8)(a)**; S.I. 2015/841, art. 3(x) (with **Sch. para. 10**) (as amended (27.6.2016) by S.I. 2016/675, art. 2)
- F17** Words in s. 50(12) substituted (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 12 para. 109(8)(b)**; S.I. 2015/841, art. 3(x) (with **Sch. para. 10**) (as amended (27.6.2016) by S.I. 2016/675, art. 2)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 50.